REMARKS/ARGUMENTS

Claims 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Smal (U.S. 5,168,641). Claims 23-28 are rejected under 35 U.S.C. §102(b) as being anticipated by Rickert (U.S. 3,938,348). Claims 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smal in view of Roethel (U.S. 1,722,825). Claims 17-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smal. Claims 21-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smal in view of Streed (U.S. 3,332,620). Claims 26-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rickert (U.S. 3,938,348). These rejections are respectfully traversed.

In light of Examiner's helpful suggestion, claims 13-16, 19-25 and 27 have been amended to distinguish a power-generating wind turbine switch cabinet and a power-generating wind turbine circuit element in the present invention from such devices related to blowers, fans, turbines. Claims 13, 16 and 23 have been amended to distinguish an air flow device generating an air flow in a region of the power-generating wind turbine circuit element.

Claim 13 stands rejected under 35 U.S.C. §102(b) as being anticipated by Smal. Applicant respectfully submits that claim 13, as amended, is patentable over the cited reference because Smal does not disclose all of the features of the claim, and is therefore improperly applied under 35 U.S.C. §102. Lewmar Marine v. Varient Inc., 3 U.S.P.Q. 2d 1766 (Fed Cir. 1987).

Claim 13, as amended, recites:

An apparatus, comprising:

a power-generating wind turbine switch cabinet;

at least one **power-generating wind turbine circuit element** coupled to the **power-generating wind turbine switch cabinet**; and

a drying arrangement to prevent water deposition onto the at least one **power-generating wind turbine circuit element**, the drying arrangement including **an air flow device generating an air flow in a region of the at least one power-generating wind turbine circuit element** to counteract the water deposition onto the at least one **power-generating wind turbine circuit element**. (Emphasis added).

Applicant respectfully submits that claim 13 requires a power-generating wind turbine switch cabinet for a wind turbine, a power-generating wind turbine circuit element, and an air flow device generating an air flow in a region of the at least one wind turbine circuit element. Smal fails to disclose at least these features of the claim. Smal is simply directed to a travel hair-dryer comprising two telescopic components. The first telescopic component provides an air inlet grill **6**, a motor **4** driving a blower **5** and heating coils **3.** The second telescopic section includes an exit grill **8**. A switch and contact **10** and **11** are provided in a groove between the telescoping sections.

In the Office Action, it is asserted that to one skilled in the art, a blower, a fan and a turbine are all patentably interchangeable, such that each could be used so Smal would anticipate the claimed invention. It is respectfully suggested that to one of ordinary skill in the art, a modern power-generating wind turbine is recognized within the art as a distinct device, substantially different device than a blower, a fan or a turbine.

The Office Action asserts that the switch cabinet for a power-generating wind turbine is met by blower **5** (referred to as a turbine but claimed as a blower). The objective of the invention of Smal is heating to dry hair outside the telescopic enclosures. The Smal invention is a hair dryer or hair blower, it is clearly not a power-generating wind turbine. The Smal blower (referred to as turbine) is a fan driven by a motor.

A power-generating wind turbine is a clearly distinct element that is passive, and as is widely known as a device that is powered by or driven by the wind. Power-generating wind turbines are massive devices that are required to be large to harness sufficient wind energy to be economically viable. The components of a hair blower, instead are powered to create an air flow. The components of the hair blower use energy, instead of creating energy as in a power-generating wind turbine. A practitioner of the art would not equate a hair blower with a power-generating wind turbine. As such, Smal fails to disclose a power-generating wind turbine switch cabinet and power-generating wind turbine circuit element, as required by claim 13. Therefore, for at least the above rationale, Applicant respectfully submits that Smal does not teach, suggest, or disclose the claimed invention.

However, even for the sake of argument, if the blower 5 constitutes a power-generating wind turbine, then the blower 5 cannot also be used to satisfy the separate claim limitation of an air flow generating device. As such, Smal fails to disclose an air flow generating device as required by Claim 13.

Therefore, for at least the above rationale, Applicants respectfully submit

that Smal does not teach, suggest, or disclose the claimed invention.

Applicants respectfully submit that since Smal does not teach, suggest or disclose the features of the claimed invention, Smal cannot be applied under 35 U.S.C. §102 and as such, the rejection must be withdrawn.

Given that the cited reference fails to disclose all of the limitations of the claim, and for the reasons cited above, Applicant respectfully submits that claim 13 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 13 under 35 U.S.C. 102(b) be withdrawn and that claim 13 be allowed.

Further, the Office Action asserts that dependent claims 15-17 are unpatentable over Smal in view of Roethal; claims 17-20 are unpatentable over Smal in view of obvious art; and claims 21-22 are unpatentable over Smal in view of Streed. For the above reasons, previously noted, independent claim 13 is not anticipated by Small. Neither Roethel, nor obvious art, nor Streed remedy these deficiencies.

Given that claims 14-22 depend from independent claim 13, which is patentable over the cited reference for the above-noted reasons, Applicant respectfully submits that dependent claims 14-22 are also patentable over the cited references. Accordingly, Applicant respectfully requests that the rejection of claims 14-22 under 35 USC 103(a) be withdrawn. Applicant submits that claims 13-22 are in condition for allowance and such action is respectfully requested.

Claim 23 stands rejected under 35 U.S.C. 102(b) as being anticipated by Rickert. Applicant respectfully submits that claim 23 is patentable over the cited reference because Rickert does not disclose all of the limitations of the claim.

Claim 23, as amended, recites:

A method, comprising:

controlling an operational parameter of a power-generating wind turbine by at least one power-generating wind turbine circuit element coupled to a power-generating wind turbine switch cabinet; and

generating air flow in the internal space of the power-generating wind turbine switch cabinet using an air flow device to counteract a deposition of condensation water onto the at least one power-generating wind turbine circuit element. (Emphasis Added).

Applicant respectfully submits that claim 23 requires a power-generating

wind turbine circuit element and a power-generating wind turbine switch cabinet and using an air flow device to generate an air flow to counteract a deposition of condensation water onto at least one power-generating wind turbine circuit element. Rickert fails to disclose at least these limitations of the claim.

Rickert is directed to a simple climate control device, which can independently or jointly cool and dehumidify a dwelling. Rickert employs a controlled cooling coil for which the temperature can be controlled. The coil may be kept at just below the dew point for condensing room air or may be used to cool room air.

The Office Action would suggest that the limitation of controlling an operational parameter of a power-generating wind turbine is satisfied at Col. 3 lines 25-40. The instant section describes airflow created by fans powered by electric motors. The object of the invention of Rickert is to control climate at a location external to the climate control box. A power-generating wind turbine is a clearly distinct device that is powered by or driven by the wind. The fan components of Rickert climate control device create an air flow, but are not controlling an operational parameter of a power-generating wind turbine. As such, Rickert fails to disclose controlling an operational parameter of a power-generating wind turbine by at least one power-generating wind turbine circuit element and a power-generating wind turbine switch cabinet for a wind turbine, as required by claim 23.

The Office Action would suggest that "generating air flow in the internal space of the switch cabinet using an air flow generating device to counteract a deposition of condensation water onto the at least one circuit element" is disclosed at Col. 3, lines 41-59. However, while Rickert does describe the generation of an airflow, nowhere in Col. 3, lines 41-59 or elsewhere does Rickert disclose generating an airflow to counteract a deposition of condensation water onto the at least one power-generating wind turbine circuit element. Further, Rickert does not identify any power-generating wind turbine circuits within the power-generating wind turbine switch box for which an airflow is generated to counteract deposition of condensation water. Instead with Rickert, the airflow is generated specifically for climate control purposes, that is to prevent condensation in the home, external to the switch box. Therefore, for at least the above rationale, Applicants respectfully submit that Rickert does not teach, suggest, or disclose the claimed invention.

Applicants respectfully submit that since Rickert does not teach, suggest or disclose the features of the claimed invention, Rickert cannot be applied under 35 U.S.C. §102 and as such, the rejection must be withdrawn.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 23 is patentable over the cited reference. Accordingly, Applicant requests that the rejection of claim 23 under 35 U.S.C. §102b be withdrawn.

Further, the Office Action asserts that dependent claims 26-27 are unpatentable over Rickert under 35 USC §103(a). However, the deficiencies of Rickert with respect to under underlying independent claim 23, as previously described, are not remedied.

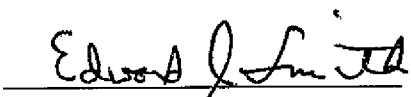
Given that claims 24-28 depend from independent claim 23, which is patentable over the cited reference, Applicant respectfully submits that dependent claims 23-28 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 23-28 under 35 USC §102(b) and claims 26-27 under 35 USC §103(a)be withdrawn. Applicant submits that claims 23-28 are in condition for allowance and such action is respectfully requested.

In view of the foregoing, Applicants respectfully submit that the application is in order for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account 070849 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, please contact the undersigned at the phone number listed below.

Respectfully submitted,



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